

GOVERNMENT OF ANDHRA PRADEH
ABSTRACT

Suits – Gajuladinne Project – Land Acquisition – Kurnool District – Lands acquired at Ternakal Village, Pathikonda Mandal in Kurnool District for formation of Gajuladinne Project – O.P. No.34/86, on the file of the Subordinate Judge Court, Adoni – Disposed off – Market value enhanced – Depositing of decretal amount in respective court – Decretal amount sanctioned – Orders – Issued.

IRRIGATION & C.A.D (PW:LA.II) DEPARTMENT

G.O.Rt.No. 91

Dated:19.02.2011
Read the following:

- 1.From the District Collector, Kurnool Rc.No.G2/1370/07,
Dated:04.05.2007.
- 2.From Spl. C.S & CCLA, A.P., Hyderabad Lr.No.G4/764/2007,
Dated:24.11.2009.

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O R D E R:

In the reference 1st read above, the District Collector, Kurnool has reported that the Executive Engineer, Gajuladinne Project had acquired an extent of 6.00 Acres of land in Sy.No.583/3 situated at Tarnekal Village, Pathikonda Mandal in Kurnool District for formation of Gajuladinne Project vide Award No.107/77 dated 4.10.1977 by fixing the market value for the acquired land @ Rs.1500/- per acre. The awardee took the land compensation amount under protest and requested for referring the matter to Civil Court U/s 18 of L.A. Act. On reference to Civil Court, the Senior Civil Judge, Adoni disposed off the O.P by enhancing the market value from Rs.1500/- to Rs.6000/- per acre in OP No.134/86, dated 26.5.1988. The Assistant Government Pleader, Adoni has opined that the case was not fit for filing appeals before the Hon'ble High Court of Andhra Pradesh, Hyderabad against the Judgment of the Lower Court as huge cost is involved for filing an appeal. However, an appeal was filed before the Hon'ble High Court of Andhra Pradesh, Hyderabad on 08.11.1988 against the above Judgment of Lower Court. In the meanwhile, the decree holder has also filed E.P. before the Sr. Civil Judge, Adoni for realization of decretal charges by attaching the movables of office for sale. The appeal filed in High Court of Andhra Pradesh, Hyderabad has not been numbered even now. Therefore, the District Collector, Kurnool has requested to sanction of full decretal charges for an amount of Rs.1,34,062/- or permission for utilizing the funds available relating to the Requisition Department. The Special Chief Secretary & Chief Commissioner of Land Administration has further stated that the Hon'ble High Court, may not admit fresh appeal due to lapse of the time i.e., more than 19 years even though the enhancement is 300%. As such, this case would not come under purview of the G.O.Ms.No.34, Irrigation & CAD (PW.TGP.II) Department, Hyderabad. Therefore, the Special Chief Secretary & Chief Commissioner of Land Administration has sent the proposal of the District Collector, Kurnool to the Government for sanction of Rs.1,34,062/- in respect of O.P. No.134/86, pertaining to Tarnekal Village, Pathikonda Mandal in Kurnool District.

2. Government after careful examination of the proposal hereby accord sanction for an amount of Rs.1,34,062/- (Rupees one lakh thirty four thousand and sixty two only) towards final decretal charges to be deposited in respective Court to the credit of O.P NO.134/86, Dated:26.05.1988 pertaining to Tarnekal Village, Pathikonda Mandal, Kurnool District in

Contd.2

connection with the lands acquired through Award No.107/77 dated 4.10.1977 for formation of Gajuladinne Project, subject to verification whether the reference under Section 18(1) of the L.A. Act is made to the Lower Court after following all the guidelines / directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules / guidelines issued by the Government / Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad. Immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of concerned Chief Engineer as to the extent of land acquired. Further the District Collector, Kurnool should verify the calculations made by the Land Acquisition Officer, once again thoroughly with reference to the decree and instructions issued by the Government / Chief Commissioner of Land Administration, Hyderabad on the subject from time to time, before depositing the above sanctioned decretal amount in the Lower Court.

3. The amount sanctioned in para (2) above shall be debitible to the following Head of Account under 4701 – Capital Outlay on Major and Medium Irrigation – 03 – Medium Irrigation – MH 122 – Gajuladinne Project – GH 11 – Normal State Plan – SH (27) Canals and Distributaries – 530/532 – Lands (Charged)” and shall initially be met by way of an advance from Contingency Fund, orders regarding which will be issued by Finance (BG) Department separately.

4. The Chief Engineer (P), Irrigation, Kurnool shall take action for obtaining Supplementary grant at appropriate time during the current financial year towards recoupment to the advance sanctioned from Contingency Fund.

5. This orders issues with the concurrence of Finance (Expr.(PW) Department vide their U.O. No.01857/41/Expr.PW/A1/11, dated 09.02.2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To

The Special Chief Secretary to Government &
Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.

The District Collector, Kurnool.

The Revenue Divisional Officer, Kurnool

The Chief Engineer (P), Irrigation, Kurnool

The Superintending Engineer (P), Irrigation, Kurnool

The Director of Works and Accounts, Hyderabad

The District Treasury Officer, Kurnool

The Pay and Accounts Officer, Kurnool

The Joint Director of Works & Accounts, Kurnool

Copy to:

The P.S. to Minister (M&MI)

The Law Department / the Finance (Expr.PW/BG) Department

The P.S. to Secretary to Government, I & CAD Department

Stock File/Spare copies.

// FORWARDED BY ORDER //

SECTION OFFICER